

Appl. No. 09/868,606
Amdt. dated August 13, 2004
Reply to Office Action of April 26, 2004

REMARKS/ARGUMENT

In the Office Action, claims 35-40 and 45-50 were rejected under 35 U.S.C. 112 as being indefinite for reasons set forth in the Office Action. The claims have been amended for clarity so as to overcome this ground of rejection.

Claims 38-40, 48 and 50 were said to be allowable if rewritten in independent form and to overcome the rejections under 35 U.S.C. 112. Claims 41-43 were said to be allowable if rewritten in independent form. Accordingly, claim 38 has been rewritten in independent form to include the subject matter of base claim 26; and has been amended for clarification to overcome the rejection under 35 U.S.C. 112. Claim 39 which has been amended for clarity, as well as claim 40, are believed to be allowable in view of their dependency from claim 38. Claim 48 has been rewritten in independent form by inclusion of subject matter from claims 45 and 47. The subject matter from claims 45 and 47 as well as the subject matter of claim 48 have been amended for clarity, thereby to secure allowance of claim 48. Similarly, claim 50 has been rewritten in independent form by inclusion of subject matter from claim 45, which subject matter has been amended for clarity, thereby to secure allowance of claim 50. Each of claims 41 and 43 has been rewritten in independent form by inclusion of the subject

matter of claim 26, thereby to secure allowance of claims 41 and 43 as well as claim 42 which depends from claim 41.

Claim 26 and its dependent claim 32 were rejected under 35 U.S.C. 102 as being anticipated by Hancock (WO 90/11641) for reasons set forth in the Office Action. Claim 26 has been amended to set forth features of the invention that distinguish over Hancock so as to overcome this ground of rejection. The features inserted into claim 26 relate to the foot extending from the holder (present specification, page 3 at lines 23-26, and claims 38-39) and the opening in a stator lamination for receiving a pin (specification, page 3 at lines 27-52, page 4 at lines 34-37, and claims 41-42).

Claims 27-31 and 44 were rejected under 35 U.S.C. 103 as being unpatentable over Hancock for reasons set forth in the Office Action. The foregoing amendment to claim 26 is believed to overcome this rejection because of the dependency of claims 27-31 and 44 from claim 26.

Claims 26-37, 45-47 and 49 were rejected under 35 U.S.C. 103 as being unpatentable over Simon (US 6,194, 797) for reasons set forth in the Office Action. The foregoing amendment to claim 26 is believed to overcome this ground of rejection with respect to claim 26 and its dependent claims 27-37. Claim 45 has been amended to emphasize the inventive steps of connecting the workpiece (W) to the holder (11) to secure their alignment (disclosed in the present specification, page 2 at lines 1-10, page 5 at lines 14-18), and separating a central portion of the holder and the web(s) from the stator laminations (specification, page 5 at lines 24-34). The

foregoing amendment to claim 45 is believed to overcome its rejection on Simon and the rejections of claims 46 and 47 because of their dependency from claim 45.

Claim 49 has been rewritten in independent form to include subject matter originally present in claim 45, and to state that the one or more webs are removed completely. This is believed to overcome the rejection over Simon who teaches a laser cutting of a web. Also, in order to overcome the rejection under 35 U.S.C. 112, the indefinite wording "cut through by punching and/or" has been deleted.

With respect to the matter of indefinite language raised by the examiner in the rejections under 35 U.S.C. 112, the use of the term "crank" is believed to be more specific in the technology of motors than the term "bend". For example, a person may crank a piece of metal to bend it and to change the shape of the metal piece without separating the material. In present Fig. 3, the stator under construction comprises the stator laminations 1-4, and has a flat shape. By cranking the stator laminations 1-4, as by bending the laminations, the shape of the laminations is changed into the form shown in Fig. 4. It is believed that the present example of the lamination 4 in Fig. 3 can be described as a "bend" because it looks like a curve and thus is not linear; however, in Fig. 3, the lamination is not yet cranked. In the interest of use of clear language in the claims, the amendments to claims 35, 36 and 39 provide for the use of the word "bend" instead of the word "crank".

With respect to the presence of the indefinite language in claim 38, a place where the stator is fitted is intended to mean that, when the stator is put into a place where it has the correct position relative to the other parts of the motor, the stator fits. As an example of such a fitting of motor parts, one may refer to the bearing 21 for the motor shaft 20, shown in Fig. 6. To clarify this matter, the amendment to claim 38 deletes the language "where the stator is fitted", and refers to a fixing of the stator at its place in the motor.

With respect to the presence of the indefinite language in claim 45, the last several words have been deleted by amendment of claim 45. In the case of the insertion of subject matter from claim 45 into claims 48, 49 and 50, the passage represented by the last several words of claim 45 now states that the at least one web is cut through or removed completely. With respect to the original wording of the last words of claim 45, the term "removed completely" is intended to mean that the at least one web, between or over the stator laminations, is completely set aside, or removed. A "cut" in the at least one web permits the situation wherein parts of the at least one web (5) may remain at the stator laminations (1-4).

In the matter of the presence of a redundant expression in claim 47, namely, "the connection takes place by welding", this expression was intended to provide greater precision in the definition of the connection. However, in the interest of clarifying claim 47, this passage at the end of the claim has been deleted in the amendment of claim 47.

With respect to the indefinite language of claim 48, the amendment to claim 48 has clarified the claim by introducing a passage stating that the stator laminations are galvanized with a zinc layer. Since a zinc coating or layer is well-known in a galvanizing process, the amendatory passage is believed to clarify the point raised by the examiner. The presence of zinc in the galvanizing process is disclosed in the present specification on page 2 at lines 13-16. A person skilled in the metallurgical art would understand the feature that atoms of the holder migrate to the zinc layer. It is also understood that the laminations are made of a ferromagnetic metal since, otherwise, the stator would be inoperative; and it is understood further that the laminations are plated with the zinc.

In view of the clarification of the claims by this amendment, it is clear that the stator is produced, as described in present Fig. 4, in a manner which is not described in the cited art, considered individually and in combination, and is not suggested by the cited art. Accordingly, the foregoing amendment is believed to overcome the grounds of rejection so as to secure allowance of the claims.

In the event there are further issues remaining the Examiner is respectfully requested to telephone attorney to reach agreement to expedite issuance of this application.


Applicant respectfully requests that a timely Notice of Allowance be issued in this case.

Since the present claims set forth the present invention patentably and distinctly, and are not taught by the cited art either taken alone or in combination, this amendment is believed to place this case in condition for allowance and the Examiner is respectfully requested to reconsider the matter, enter this amendment, and to allow all of the claims in this case.

DEPOSIT ACCOUNT CHARGE is presented to charge to attorney's deposit account the amount of ⁴³⁰~~\$258.00~~ and any other fee thereof to cover the Government fee for ^{five}~~three~~ extra independent claims in excess of 3 independent claims.



Respectfully submitted,
Heinrich-Jochen Blume, et al


by: 
Martin A. Farber
Attorney for Applicants
Registered Representative
Registration No. 22,345

CERTIFICATE OF MAILING UNDER 37 CFR SECTION 1.8(a)

I hereby certify that the accompanying Amendment is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner for Patents, Alexandria, VA 22313-1450, on August 13, 2004.

Dated: August 13, 2004

866 United Nations Plaza
New York, NY 10017
(212) 758-2878


Martin A. Farber